

## REMARKS

Claims 52-92 were pending. Claims 52, 53, 58, 59, 61, 64, and 81-84 have been amended, claims 60, 62, 63, 65, 66, and 85-92 have been canceled, and claim 93 has been added. Support may be found in the specification and claims as originally filed. No new statutory matter has been added. Therefore, entry of this amendment is respectfully requested.

### **Restriction Requirement**

In the Office Action mailed February 27, 2002, the Examiner required a restriction of claims in the above-referenced patent application. Applicant hereby elects to prosecute the claims of **Group III (Claims 52-65 and 67-80)**, with traverse. <sup>1</sup> Applicant traverses the restriction between claims 88-92. Original claims 88-92, now claim 93 as amended, are dependent on claim 52. Any prior art compositions in one of the specifically recited forms would be uncovered by searching the composition of claim 52. Therefore, one need only search and consider the composition of claim 52. Consequently, it would not be an undue burden to search and consider the composition of claim 52, which is in the form of a drench, a pour-on formulation, an injectable, an animal feedstuff, or a bolus according to claim 93. Additionally, claims 81-84 have been amended to be dependent on claim 52. As amended, claims 81-84 are directed methods involving the administration of the composition of claim 52. Applicant respectfully submits that it would not be an undue burden to search and consider claims 81-84 as any methods that comprise the administration of the composition of claim 52, would be uncovered in a search directed to the composition of claim 52. Therefore, Applicant respectfully requests that the claims as amended be grouped together and considered as one invention.

This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants reserve the right to file one or more divisional applications to the non-elected groups. Accordingly, reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

### **Election of Species**

In the Office Action of February 27, 2002, the Examiner required an election of species for each anthelmintic, vitamin, amino acid and antistress agent in claim 52.

Applicant notes that the claim 52 has been amended such that it comprises at least one amino acid and at least one antistress agent. Applicants elect, with traverse, the following species to prosecute:

1. Leucine (claim 61) as the at least one amino acid; claims 52, 55, 57, 61, 67-84, and 93 are readable on this elected species, and claims 52, 54-57, 67-84, and 93 are the generic claim to this elected species;
2. Metyrapone (claim 59) as the at least one antistress agent; claims 52-57, 61, 67-84, and 93 are readable on this elected species, and claim 52 are the generic claims to this elected species; and
3. Mifepristone (claim 59) as the second antistress agent; claims 58 and 59 are readable on this species, and claim 58 is the generic claim to this species.

#### **Extension of Time**

A Petition for a One-Month Extension Of Time under 37 CFR §1.136(a) and the appropriate fee set forth in 37 CFR §1.17 are filed herewith to extend the due date for response to April 27, 2002. Any additional extensions of time necessary to prevent abandonment of this application are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 06-1358, Attorney Docket No.

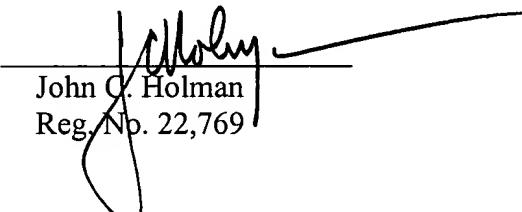
P67120US0.

## CONCLUSION

The restriction, election of species, and amendments are made without prejudice to or disclaimer of the other claims or inventions disclosed. It is respectfully requested that the Examiner enter the election and amendments prior to examining the application on its merits.

Attached hereto is a marked-up version of the changes made and claims by the current amendment and a substitute specification is attached in clean form as well as a marked up version. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**".

Respectfully submitted,  
JACOBSON HOLMAN PLLC

By: 

John C. Holman  
Reg. No. 22,769

400 Seventh Street, N.W.  
Washington, D.C. 20004-2201  
(202) 638-6666  
Date: April 26, 2002  
Atty. Docket: 6059/P67120US0  
JCH:SKS:VJB

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

52. (Amended) A composition comprising at least one [therapeutic agent selected from the group consisting of anthelmintics, vitamins and] amino [acids,] acid selected from the group consisting of valine, leucine, and isoleucine and at least one antistress agent.

53. (Amended) A composition according to claim 52 wherein the antistress agent is selected from the group consisting of glucocorticoid inhibitors, corticotropin reducing hormone inhibitors, ACTH inhibitors, cholecystokinin inhibitors, benzodiazepines, gamma amino butyric acid potentiators, antiglutaminergics, and serotonergics.

58. (Amended) A composition [comprising at least one therapeutic agent selected from the group consisting of anthelmintics, vitamins and amino acids, and at least two antistress agents, independently selected from the agents according to claim 53] according to claim 52 and further comprising a second antistress agent selected from the group consisting of glucocorticoid inhibitors, corticotropin reducing hormone inhibitors, ACTH inhibitors, cholecystokinin inhibitors, benzodiazepines, gamma amino butyric acid potentiators, antiglutaminergics, and serotonergics.

59. (Amended) A composition according to claim 58 wherein the [two agents selected are metyrapone and mifepristone, metyrapone and proglumide, or metyrapone and astressin] first antistress agent is metyrapone and the second antistress agent is selected from the group consisting of mifepristone, proglumide, and astressin.

61. (Amended) A composition according to claim 52 wherein the [therapeutic agent further comprises one or more amino acids selected from] amino acid is valine, leucine, or [and] isoleucine.

64. (Amended) A composition according to claim [63] 52 which further comprises vitamin C.

81. (Amended) A method for promoting production gain in an animal, the method comprising administering to said animal [at least one antistress agent selected from the agents] the composition according to claim [53] 52.

82. (Amended) A method for enhancing the efficacy of at least one amino acid [a therapeutic agent] in an animal [selected from the group consisting of anthelmintics, vitamins and amino acids, the method] comprising [the co-administration of] administering to the animal the composition of claim 52 [at least one said therapeutic agent and at least one antistress agent to an animal].

83. (Amended) [A] The method [for enhancing the efficacy of a therapeutic agent selected from the group consisting of anthelmintics, vitamins and amino acids, the method comprising the co-administration of at least one said therapeutic agent and at least one antistress agent to an animal] of claim 82, wherein the antistress agent is selected from the group consisting of glucocorticoid inhibitors, corticotropin reducing hormone inhibitors, ACTH inhibitors, cholecystokinin inhibitors, benzodiazepines, gamma amino butyric acid potentiators, antiglutaminergics, and serotonergics [agents according to claim 53].

84. (Amended) [A] The method [for promoting production gain in an animal, the method comprising administering at least one therapeutic agent to the animal and reducing the stress experienced by the animal, wherein reduction in stress is achieved by administering at least one antistress agent according to claim 53] of claim 81, wherein the antistress agent is selected from the group consisting of glucocorticoid inhibitors, corticotropin reducing hormone inhibitors, ACTH inhibitors, cholecystokinin inhibitors, benzodiazepines, gamma amino butyric acid potentiators, antiglutaminergics, and serotonergics.

Please cancel claims 60, 62-66, and 81-92, without prejudice or disclaimer.